

H. B. No. 100, A bill to be entitled "An Act abolishing the office of Game, Fish and Oyster Commissioner and creating the Game, Fish and Oyster Commission, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, January 31, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 127, A bill to be entitled "An Act to create the 111th Judicial District of Texas and to give such court concurrent jurisdiction with the district court of Webb county, Texas, in and for the Forty-ninth Judicial District of Texas in all civil and criminal cases; to provide a clerk for said courts and the transfer to said 111th district court of certain cases now pending in the Forty-ninth district court, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, January 31, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 354, A bill to be entitled "An Act making certain emergency appropriations out of the general revenue of the State for the several institutions and departments of the State government, as named herein, for the balance of the fiscal year ending August 31, 1929, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

EIGHTEENTH DAY.

(Friday, February 1, 1929.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.
Ackerman.

Adkins.
Albritton.

Anderson.	Loy.
Avis.	Mankin.
Baker.	Martin.
Baldwin.	Mauritz.
Barnett.	Maynard.
Bateman.	McCombs.
Beck.	McDonald.
Bond.	McGill.
Bounds.	McKean.
Bradley.	Mehl.
Brice.	Metcalfe.
Brooks.	Minor.
Carpenter.	Montgomery.
Chastain.	Moore.
Coltrin.	Morse.
Conway.	Mullally.
Cox of Limestone.	Murphy.
Cox of Navarro.	Negley.
Davis.	Nicholson.
DeWolfe.	Olsen.
Dunlap.	O'Neill.
Duvall.	Palmer.
Enderby.	Pavlica.
Ewing.	Petsch.
Eickenroht.	Pool.
Finlay.	Pope of Jones.
Forbes.	Pope of Nueces.
Gates.	Prendergast.
Gerron.	Purl.
Gilbert.	Quinn.
Giles.	Ray.
Graves of Erath.	Reader.
Graves	Reid.
of Williamson.	Renfro.
Hardy.	Rountree.
Harding.	Sanders.
Harman.	Savage.
Harper.	Shaver.
Harrison.	Shelton.
Hefley.	Sherrill.
Hines.	Shipman.
Hogg.	Simmons.
Holder.	Sinks.
Hopkins.	Snelgrove.
Hornaday.	Speck.
Hubbard.	Stephens.
Jenkins.	Stevenson.
Johnson	Storey.
of Dimmit.	Strong.
Johnson of Scurry.	Tarwater.
Johnson of Smith.	Thompson.
Jones.	Thurmond.
Justiss.	Tillotson.
Kayton.	Turner.
Keeton.	Van Zandt.
Keller.	Veatch.
Kemble.	Waddell.
Kennedy.	Wallace.
Kenyon.	Walters.
Kincaid.	Warwick.
King.	Webb.
Land.	Westbrook.
Lee.	White.
Lemens.	Wiggs.
Long of Houston.	Williams
Long of Wichita.	of Sabine.

Williams
of Travis.
Woodall.

Woodruff.
Young.

Absent.

Mosely.

Ware.

Absent—Excused.

Acker.
Cox of Lamar.
Finn.
Fuchs.
Heaton.
Kinnear.

Patterson.
Richardson.
Rogers.
Smith.
Williams
of Hardin.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence an account of important business:

Mr. Smith for today and tomorrow, on motion of Mr. Olsen.

Mr. Finn for today and tomorrow, on motion of Mr. Woodruff.

Mr. Richardson for today and tomorrow, on motion of Mr. Bateman.

Mr. Heaton for today and tomorrow, on motion of Mr. Van Zandt.

The following members were granted leaves of absence on account of illness:

Mr. Patterson for today and tomorrow, on motion of Mr. Williams of Travis.

Mr. Williams of Hardin for today, on motion of Mr. Quinn.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Dunlap and Mr. Hornaday:

H. B. No. 535, A bill to be entitled "An Act to create Willacy County Water Control and Improvement District No. 1, embracing lands in the counties of Willacy and Hidalgo, in the State of Texas, as a conservation and reclamation district and body politic and corporate, under Section 59, Article 16, of the Constitution, and defining its boundaries."

Referred to Committee on Conservation and Reclamation.

• By Mr. Webb:

H. B. No. 536, A bill to be entitled "An Act providing that lands included

in a water improvement district may be eliminated from the district when it is not practicable and feasible to irrigate same, and providing the method of and paying for same and issuing bonds and levy taxes and holding elections on such elimination, that water rights on such lands shall attach to the remaining lands in such district."

Referred to Committee on Conservation and Reclamation.

By Mr. Long of Houston and Mr. Palmer:

H. B. No. 537, A bill to be entitled "An Act prohibiting the removal of more than one-half pound of cotton as a sample from a bale by any person engaged in the business of weighing or classifying cotton, either publicly or privately."

Referred to Committee on Agriculture.

By Mr. Graves of Williamson:

H. B. No. 538, A bill to be entitled "An Act to amend Article 6675, Revised Civil Statutes of Texas, 1925, making it mandatory to pay the registration fee of a motor vehicle, trailer, semi-trailer, or motorcycle, used on the public highways of this State to the tax collector of the county in which the owner of such vehicle resides or, if such vehicle is operated wholly by any agent or servant of such owner, in the county in which such vehicle to be registered is being operated."

Referred to Committee on Highways and Motor Traffic.

By Mr. Petsch:

H. B. No. 539, A bill to be entitled "An Act to authorize the commissioners court in each county having a population not less than ten thousand and fifteen and not more than ten thousand and forty to pay the sheriff of such county for summoning jurors in district or county courts, serving all legal notices, notices to overseers of roads, and doing all other public business for which compensation is not otherwise provided for, not exceeding \$2500 per annum, to be fixed by the commissioners court at the same time other ex-officio salaries are fixed."

Referred to Judiciary Committee.

By Mr. Hines:

H. B. No. 540, A bill to be entitled "An Act providing that any person who may be convicted of a misdemeanor, or

petty offense, and who shall be committed to jail in default of the payment of the fine and costs may be worked upon the public roads, or upon the county farms of the county in which such conviction is had, or be hired out to any individual, company, or corporation, in such county."

Referred to Committee on Criminal Jurisprudence.

By Mr. Bond:

H. B. No. 541. A bill to be entitled "An Act to amend Article 5404, Revised Civil Statutes of 1925, providing that the Governor shall not sign any patent for any land emanating from the State until he shall have investigated or caused to be investigated and satisfied himself that any sales made by the Land Commissioner of public land was at a fair, reasonable market value, and no patent shall take effect until so signed by the Governor."

Referred to Committee on Public Lands and Buildings.

By Mr. Montgomery and Mr. Johnson of Dimmit:

H. B. No. 542. A bill to be entitled "An Act to amend Chapter 215, Article 879a, as passed by the Regular Session of the Fortieth Legislature, providing for the regulation of the season in which white-winged doves may be hunted and killed."

Referred to Committee on Game and Fisheries.

By Mr. Long of Houston:

H. B. No. 543. A bill to be entitled "An Act imposing an excise tax on motor fuels, as defined in this act, including all fuels ordinarily, practically, and commercially usable in internal combustion engines for the generation of power, as herein defined, sold, distributed, or used in this State by distributors, as defined herein, except kerosene and fuel oil."

Referred to Committee on Revenue and Taxation.

By Mr. Petsch, Mr. Harman, Mr. Woodruff, Mr. Kayton and Mr. Bradley:

H. B. No. 544. A bill to be entitled "An Act regulating and imposing duties and restrictions on certain public utilities, providing for the regulation of rates to be charged by public utilities for service rendered, requiring reports to be made by utilities, creating

a public utilities commission, providing for the appointment of commissioners."

Referred to Committee on Municipal and Private Corporations.

By Mr. Beck and Mr. Graves of Erath:

H. B. No. 545. A bill to be entitled "An Act to amend Article 198, Title 8, Revised Civil Statutes of Texas of 1925, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Hubbard, Mr. Graves of Williamson and Mr. Storey:

H. B. No. 546. A bill to be entitled "An Act to require every company writing casualty insurance, when held liable on a claim, to pay, in addition to the amount of the loss, damages together with reasonable attorneys' fees."

Referred to Committee on Insurance.

By Mr. Graves of Erath and Mr. Snelgrove:

H. B. No. 547. A bill to be entitled "An Act to amend Article 7257 of the Revised Civil Statutes of 1925, so as to provide that tax collectors shall give receipt for taxes paid, providing the form and contents of such receipt, and providing that taxes shall be collected in chronological order in which levied and assessed, prohibiting collectors from receiving payment of taxes for any year if taxes remain unpaid for any prior year and further providing that any receipt for taxes shall be conclusive of full payment of all taxes for all years prior to and including the year for which receipt shows taxes paid."

Referred to Committee on Revenue and Taxation.

By Mr. Kemble and Mr. Forbes:

H. B. No. 548. A bill to be entitled "An Act authorizing the Comptroller to appoint and contract with persons whose duty it shall be in behalf of the State to take all necessary steps to prevent failure in the full collection by the State of inheritance taxes by reason of any unfair appraisement or other failure to comply with the provisions of Chapter 5, Title 122, of the Revised Civil Statutes of Texas."

Referred to Committee on Revenue and Taxation.

By Mr. Conway:

H. B. No. 549. A bill to be entitled "An Act repealing Articles 3252, 3253

and 3254 of the Revised Civil Statutes relating to the American Legion Memorial Sanatorium."

Referred to Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Conway:

H. B. No. 550, A bill to be entitled "An Act amending Articles 3200 and 3201 of the Revised Civil Statutes of 1925, which articles relate to fees collected at the Pasteur Hospital, and the compensation of the assistant physician of the Pasteur Hospital."

Referred to Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Johnson of Dimmit:

H. B. No. 551, A bill to be entitled "An Act to provide a five-year closed season on quail in Medina county, Texas, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Van Zandt and Mr. Bateman:

H. B. No. 552, A bill to be entitled "An Act validating the appointment of guardians when citation was published, as provided in Chapter 179, Acts Regular Session, 1917, being now Article 28 of the Revised Civil Statutes of Texas, 1925, and where such citation was not published as provided in Article 4115 of the Revised Civil Statutes of Texas, 1925."

Referred to Judiciary Committee.

By Mr. Pope of Jones:

H. B. No. 553, A bill to be entitled "An Act providing that it shall be unlawful for counties to issue warrants or other indebtedness for road and bridge purposes which requires the levy of taxes subsequent to the year the indebtedness is incurred, providing that this act shall not apply to bond tax."

Referred to Committee on Highways and Motor Traffic.

HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the Committee on Constitutional Amendments:

By Mr. Pope of Jones:

H. J. R. No. 16, Proposing an amendment to the Constitution of the State

of Texas by adding to Article 6 a new section, to be known as Section 6 of said article, so as to provide that in all elections held in any county, school district, road district, incorporated city or town, or in any election to determine the issuance of bonds, expenditure of money or assumption of debt, only those shall be qualified to vote who own real estate subject to taxation in the county, school district, road district, city or unit in which the election is held, any other provision of this Constitution to the contrary notwithstanding.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 286, to the Committee on Appropriations.

CALL OF THE HOUSE ORDERED.

Mr. Petsch moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m. today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and the following members were announced present:

Mr. Speaker.	Dunlap.
Ackerman.	Duvall.
Adkins.	Enderby.
Albritton.	Ewing.
Anderson.	Eickenroht.
Avis.	Finlay.
Baker.	Forbes.
Baldwin.	Gates.
Barnett.	Gerron.
Bateman.	Gilbert.
Beck.	Giles.
Bond.	Graves of Erath.
Bounds.	Graves
Bradley.	of Williamson.
Brice.	Hardy.
Brooks.	Harding.
Carpenter.	Harman.
Chastain.	Harper.
Coltrin.	Harrison.
Conway.	Hefley.
Cox of Limestone.	Hines.
Cox of Navarro.	Hogg.
Davis.	Holder.
DeWolfe.	Hopkins.

Hornaday.	Pool.
Hubbard.	Pope of Jones.
Jenkins.	Pope of Nueces.
Johnson	Prendergast.
of Dimmit.	Purl.
Johnson of Scurry.	Quinn.
Johnson of Smith.	Ray.
Jones.	Reader.
Justiss.	Reid.
Kayton.	Renfro.
Keeton.	Rountree.
Keller.	Sanders.
Kemble.	Savage.
Kennedy.	Shaver.
Kenyon.	Shelton.
Kincaid.	Sherrill.
King.	Shipman.
Kinnear.	Simmons.
Land.	Sinks.
Lee.	Snelgrove.
Lemens.	Speck.
Long of Houston.	Stephens.
Long of Wichita.	Stevenson.
Loy.	Storey.
Mankin.	Strong.
Martin.	Tarwater.
Mauritz.	Thompson.
Maynard.	Thurmond.
McCombs.	Tillotson.
McDonald.	Turner.
McGill.	Van Zandt.
McKean.	Veatch.
Mehl.	Waddell.
Metcalfe.	Wallace.
Minor.	Walters.
Montgomery	Warwick.
Moore.	Webb.
Morse.	Westbrook.
Mullally.	White.
Murphy.	Wiggs.
Negley.	Williams
Nicholson.	of Sabine.
Olsen.	Williams
O'Neill.	of Travis.
Palmer.	Woodall.
Pavlica.	Woodruff.
Petsch.	Young.

Absent.

Mosely.

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Fuchs.	Williams
Heaton.	of Hardin.
Patterson.	

A quorum was announced present.

On motion of Mr. Barnett the Sergeant-at-Arms was instructed to bring in all absent members within the city, who are not ill.

MOTION TO RE-REFER HOUSE BILL NO. 279.

Mr. Holder moved that House bill No. 279 be withdrawn from the Committee on State Affairs and referred to the Committee on Agriculture.

The motion to re-refer was lost.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Jones, House bill No. 455 was ordered not printed.

On motion of Mr. Hornaday, House bill No. 458 was ordered not printed.

On motion of Mr. Gilbert, House bill No. 482 was ordered not printed.

On motion of Mr. Hines, House bill No. 413 was ordered not printed.

BILLS RECOMMENDED.

On motion of Mr. Johnson of Dimmit, Senate bills Nos. 118 and 121 were recommended to Judiciary Committee.

On motion of Mr. Lemens, House bill No. 230 was recommended to the Committee on Criminal Jurisprudence.

BILL RE-REFERRED.

On motion of Mr. Sherrill, House bill No. 451 was withdrawn from the Committee on Criminal Jurisprudence and referred to the Committee on Public Health.

PROVIDING FOR LEGISLATIVE MANUALS FOR MEMBERS.

Mr. Davis offered the following resolution:

H. C. R. No. 11, Providing for Legislative Manual.

Resolved by the House, the Senate concurring, That there be printed for the use of the House and Senate five hundred copies of the Texas Legislative Manual of the Forty-first Legislature, which shall contain the Constitution of Texas, complete up to date, the Rules of the Senate, the Rules of the House, and the Joint Rules of the Senate and House, all of which shall be properly indexed, with such annotations as are necessary; a list of the standing committees of the two houses, the names of the Senators and Representatives, and their respective districts. It shall also contain the names of the officers of the House and Senate, and of the representatives of the press in attendance.

Two hundred copies to be bound in flexible Morocco covers at a cost not to exceed fifty cents per copy above the

cost of the same books in flexible cloth, according to the specifications of the contract with the public printer;

Provided further, That the name of each member and officer of the House and Senate be embossed upon the back of one copy of said Manual, said copy to be the property of the member or officer whose name is upon said copy. Three-fourths of such copies shall be for the use of the House and one-fourth for the use of the Senate, and they shall be paid for out of the contingent funds of the two houses in said proportion; provided, that the public printer shall not be paid for composition but one time.

The said bound volumes to be in the hands of the members of the Legislature by March 8, 1929.

Provided further, That in addition to the two hundred copies to be bound in flexible Morocco, as herein provided, there shall be two hundred paper-bound copies printed and turned over to the Secretary of State for the use of the Legislature hereafter, and one hundred copies to be delivered to the State Librarian for exchange with other State libraries and for other proper uses; that the members of the press, working as such in the Forty-first Legislature, be provided with a copy of said Manual by the Secretary of State;

Provided, however, that of the three hundred paper-bound copies herein provided for the names of members of the Senate and House and historical data thereof, and the names of members of committees, officers and representatives of the press shall be omitted from all except in fifty of the copies to be delivered to the State Librarian and twenty-five copies to be furnished the other members of the press.

The resolution was read second time and was adopted.

RELATING TO PURCHASING LAND FOR STATE JUVENILE TRAIN- ING SCHOOL.

Mr. Shipman offered the following resolution:

H. C. R. No. 12, Providing for a committee to investigate the purchase of land for the State Juvenile Training School at Gatesville, Texas.

Whereas, It has been brought to the attention of the Legislature that it is possible to secure certain land as an addition to the property of the State Juvenile Training School at Gatesville; and

Whereas, Said property has been leased by the State, which lease will shortly expire; and

Whereas, It is necessary that the land be inspected; now, therefore, be it

Resolved by the House of Representatives of the Forty-first Legislature, the Senate concurring, That:

Section 1. Immediately upon the passage of this resolution, a committee of five members shall be appointed, three from the House of Representatives, to be appointed by the Speaker of the House, and two from the Senate, to be appointed by the presiding officer of the Senate. The said committee shall be charged with the duty of going, as soon as practicable, with the members of the Board of Control, and making a full inspection of the land at Gatesville.

Section 2. Said committee shall be charged with the duty of making a full and complete report to the Forty-first Legislature regarding the purchase of the land in question.

The resolution was read second time and was adopted.

PROVIDING FOR COMMITTEE TO INSPECT CERTAIN STATE INSTITUTIONS.

Mr. Woodruff offered the following resolution:

Whereas, Facts are known to exist and which created the necessity and the general demand on the part of the people that the affairs of the several State eleemosynary institutions be inspected carefully; and

Whereas, In the matter of contracting for and purchasing of supplies for the said institutions, criticisms have been directed toward the agencies making such contracts and purchases; and

Whereas, The public interest in the needs of the said several eleemosynary institutions, and particularly the juvenile training schools, demands that a thorough inspection of said institutions with reference to their needs and with reference to the agencies which control and manage the affairs of said institutions, and of such other activities, methods and policies of such agencies as have to do with the transaction of State business be made, to the end that full information may be furnished to this Legislature, or a called session thereof, so that proper appropriation can be made to care for the inmates of said institution; mistakes and irregularities, if any, in the methods and management thereof may be corrected and amend-

ments of the law, if necessary, made which will promote the welfare of the inmates of the several State eleemosynary institutions; therefore, be it

Resolved, by the House of Representatives of the State of Texas:

Section 1. That a committee of five members of the House of Representatives be appointed by the Speaker from among its members whose duty it shall be to make an inspection of the affairs of the several eleemosynary institutions and of the agencies controlling and directing them; to inspect the physical plants, the inmates and the employees of said institutions; to inspect the methods of purchasing and handling supplies for said institutions and other State departments, and to do such other things as may seem to said committee necessary to legally discharge its duties in connection with the purpose or purposes for which said committee is hereby created.

Sec. 2. That said committee shall have power to form its own rules of procedure and evidence, and to provide for its own dates and places for meeting; it shall make such trip or trips, visit or visits, to the several State eleemosynary institutions as are necessary for the purpose of making the inspections herein provided for.

Sec. 3. That the committee shall have power to issue process to witnesses to any place in the State, and to compel the attendance of those in possession of pertinent books and records for the committee's inspection and examination, and upon the disobedience of any subpoena said committee shall have power to issue writs of attachment, which may be addressed and served by either the Sergeant-at-Arms of the House or any sheriff or constable of this State. Said committee shall have power to inspect and to make copies of any books, records or files of any employee or agency in control of any State eleemosynary institution or connection with the operation of any eleemosynary institution, and shall have power to examine and audit the books of any person, firm or corporation holding a contract or contracts for supplies to be furnished to the State for any purposes whatever; the committee or any member thereof shall have the power to administer oaths and affirmations, and to fix the bond or bonds of attached witnesses.

Sec. 4. That witnesses attending, under process, the session or sessions of said committee shall be allowed the same mileage and per diem as is allowed

witnesses in the trial of criminal cases in the several district courts of this State.

Sec. 5. That said committee shall have authority to employ and compensate the necessary stenographers, auditors and other employees.

Sec. 6. That the committee shall make a report of the condition and affairs of said several eleemosynary institutions and agencies to the Forty-first Legislature, or a called session thereof.

Sec. 7. That said committee shall begin its inspections at its convenience and shall not be required to report until a called session of this Legislature, in the event there shall be a called session thereof, and said committee shall have authority to work during the recess period intervening between the regular session and a called session, if any, of said Forty-first Legislature. The per diem of the members of said committee shall be \$5 for the actual number of days of service in performing said duties and, in addition thereto, they shall be entitled to actual traveling expenses and hotel bills incurred in the performance of said duties. The per diem and expenses of the members of said committee, together with other expenses not to exceed \$500, incurred in connection with said inspection, shall be paid out of the appropriations for mileage and per diem and contingent expenses of the Forty-first Legislature, or a called session thereof, upon the sworn account of the persons entitled to be paid hereunder.

Signed—Woodruff, Conway, Snelgrove, Graves of Erath, Veatch, Johnson of Scurry, Moore.

The resolution was read second time.

On motion of Mr. Purl, the resolution was referred to the Committee on State Eleemosynary and Reformatory Institutions.

AMENDMENTS TO THE HOUSE RULES.

The Speaker laid before the House for consideration at this time, the following amendments to the House Rules:

Amend Rule XXVIII, Section 1, by inserting after the word "Governor" and before the word "and" the words "his wife."

Add after "his wife" the following, "and family." — (Committee amendment.)

Resolved, That Rule XIX, paragraph

7, be amended so as hereafter to read as follows:

"7. All bills, when reported favorably by a committee, shall immediately be sent to the printer by the Calendar Clerk and a printed copy laid on the desk of each member at least twenty-four hours before the bill is acted on by the House the last ten days of a session. In the event a notice of a minority report is given, the Calendar Clerk is instructed to hold a bill two days, if necessary, awaiting the filing of the minority report; but during the last fifteen days of the session he shall not hold a bill more than twenty-four hours awaiting a minority report. All other bills, resolutions, reports, memorials and petitions shall be printed on the order of the House."

Signed—Kennedy, Montgomery, Cox of Navarro, O'Neill, King, Duvall, Cox of Lamar, Snelgrove, Albritton, Hines, Purl.

Amend Rule XXIII by adding a section to be numbered five, which shall read as follows:

"No bill (except local bills) shall be on the daily calendar unless a printed copy of such bill has been on the desk of each member for a period of not less than twenty-four hours next preceding the calendar date, except the last ten days of the session."

Signed — Kemble, Young, Storey, Nicholson, Woodall.

Amend Rule XXVIII, Section 1, by inserting after the word "departments" and before the word "and" the words "and their wives."

Signed—Pool, Patterson, Sinks.

The amendments were severally adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 1, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills and resolution:

S. B. No. 150, A bill to be entitled "An Act to confirm and validate all patents and awards issued on lands lying across or partly across or abutting on water courses or navigable streams or the beds or abandoned beds thereof, or parts thereof, and to relinquish, quitclaim and grant to patentees and

awardees and their assignees all of such lands and minerals therein contained, across or abutting on water courses or navigable streams and also the beds or abandoned beds thereof, and minerals therein contained, where such patents or awards have been issued and outstanding for a period of five years from the date thereof and have not been cancelled or forfeited, without impairing the rights of the general public, the State, riparian owners or appropriation owners in the waters of such streams, and providing that with respect to lands sold by the State of Texas expressly reserving title to minerals in the State, such reservation shall not be affected by this act and that the patentees or awardees and their assignee shall have the same rights, title and interest in the minerals in the beds or abandoned beds of such water courses or navigable streams that they have in the uplands covered by the same patents, and declaring an emergency."

S. B. No. 356, A bill to be entitled "An Act providing for the continuance of the trial of any civil or criminal action or matter in probate, pending in any court of this State while the Legislature is in session, where it appears by affidavit that a party to such cause is a member of the Legislature and is in attendance thereon, or where it appears that an attorney for any party to such an action is a member of the Legislature and is in attendance on a session of the Legislature, and that a fair and proper trial cannot be had in absence of such party or attorney, and providing that where such showing is made by affidavit in any cause same shall be continued until ten days after the adjournment of the Legislature, and declaring an emergency."

S. B. No. 54, A bill to be entitled "An Act to amend Article 2963 of Chapter 5, Title 50, of the Revised Civil Statutes of 1925, so as to allow the mailing of poll tax receipts in certain cases, and providing for the mailing of poll tax receipts to persons in cities of 10,000 inhabitants and more where the poll tax payer pays his property and poll tax by check or money order."

S. C. R. No. 14, Providing for the appointment of a joint committee of the House and Senate to investigate the wisdom of establishing a junior college at Meridian, Bosque county.

Has agreed to concur in the House amendments to Senate bill No. 85 by a vote of 30 yeas, 0 nays; House amendments to Senate bills Nos. 186 and 172,

concurrent in by Senate by a vote of 30 yeas, 0 nays.

Respectfully.

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

HOUSE BILL NO. 109 ON FINAL PASSAGE.

The Speaker laid before the House, as unfinished business, on its final passage,

H. B. No. 109, A bill to be entitled "An Act to require all persons who teach in the public schools to be American citizens."

The bill having been read third time on last Tuesday.

Mr. Shaver offered the following amendment to the bill:

Amend House bill No. 109, Section 1, line 11, adding after the word "him" the words "or her."

The amendment was adopted.

Mr. Petsch offered the following amendment to the bill:

Amend by adding to the end of Section 1 of the bill the following:

"Provided, however, that nothing in this bill shall be applicable to any contracts heretofore entered into and now in effect."

The amendment was adopted.

Mr. Westbrook offered the following amendment to the bill:

Amend House bill No. 109 by inserting in line 11, page 1, between the word "the" and the word "public" the following, "elementary and (or) secondary"; and by inserting in line 18, page 1, between the word "any" and the word "public" the following, "elementary (or) secondary."

The amendment was adopted.

Mr. McCombs offered the following amendment to the bill:

Amend below the enacting clause by adding in Section 1, line 19, between the words "this State" and "and all" the words "except such as are to teach foreign language or languages."

Signed—Keller, McCombs.

Mr. Cox of Limestone moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—81.

Ackerman.
Albritton.
Avis.
Baker.

Baldwin.
Barnett.
Bateman.
Bond.

Bounds.
Brice.
Brooks.
Chastain.
Conway.
Cox of Limestone.
Cox of Navarro.
Dunlap.
Enderby.
Eickenroht.
Forbes.
Gilbert.
Giles.
Graves
of Williamson.
Hardy.
Harding.
Harman.
Harper.
Hines.
Holder.
Hornaday.
Johnson
of Dimmit.
Johnson of Smith.
Johnson of Scurry.
Justiss.
Keeton.
Kemble.
Kennedy.
Kenyon.
King.
Land.
Lemens.
Long of Houston.
Loy.
Mankin.
Martin.

Mauritz.
Maynard.
McDonald.
Minor.
Moore.
Palmer.
Pavlica.
Petsch.
Pope of Jones.
Pope of Nueces.
Purl.
Ray.
Reid.
Sanders.
Savage.
Shaver.
Sherrill.
Shipman.
Simmons.
Sinks.
Snelgrove.
Speck.
Stephens.
Stevenson.
Storey.
Strong.
Tarwater.
Van Zandt.
Veatch.
Waddell.
Walters.
Webb.
Westbrook.
White.
Williams
of Sabine.
Woodall.
Young.

Nays—41.

Adkins.
Anderson.
Beck.
Bradley.
Carpenter.
DeWolfe.
Ewing.
Finlay.
Gates.
Gerron.
Harrison.
Hogg.
Hopkins.
Hubbard.
Jenkins.
Jones.
Kayton.
Keller.
Kincaid.
Long of Wichita.
McCombs.

McGill.
Montgomery.
Mullally.
Murphy.
Negley.
Nicholson.
Olsen.
O'Neill.
Pool.
Reader.
Rountree.
Shelton.
Thompson.
Thurmond.
Tillotson.
Turner.
Warwick.
Wiggs.
Williams
of Travis.
Woodruff.

Present—Not Voting.

Quinn.

Absent.

Coltrin.

Davis.

Duvall.	Mehl.
Fuchs.	Metcalfe.
Graves of Erath.	Morse.
Hefley.	Mosely.
Lee.	Prendergast.
McKean.	Renfro.

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Heaton.	Wallace.
Kinnear.	Williams
Patterson.	of Hardin.

Mr. Barnett moved the previous question on the final passage of the bill, and the main question was ordered.

House bill No. 109 was then passed by the following vote:

Yeas—86.

Ackerman.	Lemens.
Albritton.	Loy.
Avis.	Mankin.
Baker.	Martin.
Baldwin.	Mauritz.
Barnett.	Maynard.
Beck.	Mehl.
Bounds.	Metcalfe.
Brice.	Minor.
Brooks.	Moore.
Carpenter.	Murphy.
Chastain.	O'Neill.
Coltrin.	Palmer.
Conway.	Pavlica.
Cox of Limestone.	Petsch.
Cox of Navarro.	Pope of Jones.
Eickenroht.	Purl.
Forbes.	Ray.
Gerron.	Reid.
Gilbert.	Sanders.
Giles.	Savage.
Graves	Shaver.
of Williamson.	Shelton.
Hardy.	Sherrill.
Harding.	Shipman.
Harman.	Simmons.
Harper.	Sinks.
Hines.	Snelgrove.
Holder.	Speck.
Hopkins.	Stephens.
Hornaday.	Stevenson.
Johnson	Storey.
of Dimmit.	Strong.
Johnson of Smith.	Tarwater.
Johnson of Scurry.	Van Zandt.
Justiss.	Veatch.
Keeton.	Waddell.
Keller.	Wallace.
Kemble.	Walters.
Kennedy.	Webb.
King.	Westbrook.
Land.	White.

Long of Houston.	Woodall.
Williams	Young.
of Sabine.	

Nays—30.

Adkins.	Long of Wichita.
Anderson.	McCombs.
Bateman.	McGill.
Bond.	Mullally.
Bradley.	Negley.
DeWolfe.	Nicholson.
Ewing.	Reader.
Finlay.	Thompson.
Harrison.	Thurmond.
Hogg.	Turner.
Hubbard.	Warwick.
Jones.	Wiggs.
Kayton.	Williams
Kenyon.	of Travis.
Kincaid.	Woodruff.
Lee.	

Absent.

Davis.	Montgomery.
Dunlap.	Morse.
Duvall.	Mosely.
Enderby.	Olsen.
Fuchs.	Pool.
Gates.	Pope of Nueces.
Graves of Erath.	Prendergast.
Hefley.	Quinn.
Jenkins.	Renfro.
McDonald.	Rountree.
McKean.	Tillotson.

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Heaton.	Williams
Kinnear.	of Hardin.
Patterson.	

Mr. Purl moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 1, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 293, A bill to be entitled "An Act converting the South Texas State Teachers College into the Texas College of Arts and Industries at Kingsville, Texas; providing for a continuance of the work of the college as a

State teachers college and, in addition thereto, providing for work at said college suitable to a college of arts and industries; providing for the organization, control and management thereof, the appointment of a board of directors and selection of a president, the division of its work into branches of education and training; providing for the granting of appropriate degrees and giving of special courses in certain subjects; changing the management of the South Texas State Teachers College from the board of directors of the Texas College of Arts and Industries as provided for in this act; providing for the acquisition of additional land when necessary and for the enlargement of the work of said college; granting to said college the right of eminent domain; requiring biennial reports to the Legislature; conferring all powers, duties and functions of the board of regents of the State Teachers Colleges in respect to said South Texas State Teachers College on the board of directors herein created, except where in conflict with this act; repealing all laws and parts of laws in conflict with this act; providing all necessary details to accomplish the purpose of this act; and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 145, "An Act to repeal Article 6899, Title 121, Chapter 1, of the Revised Civil Statutes of 1925, and declaring an emergency."

S. B. No. 184, "An Act amending Article 387 of the Revised Civil Statutes of 1925, so as to increase the maximum number of directors a bank or bank and trust company having a capital stock of \$500,000 or more may have, and declaring an emergency."

S. B. No. 143, "An Act to amend the laws relating to the county court at law No. 2 of Harris county, Texas; to amend Sections 2, 4 and 12 of Chapter 8 of the General Laws of the Thirty-fourth Legislature, passed at its First Called Session; to repeal Sections 3, 9, 10, 13 and 16, Chapter 8, of the General Laws of the Thirty-fourth Legislature, passed at its First Called Session; to provide for the exchange of benches, the

transfer of cases, and declaring an emergency."

S. B. No. 225, "An Act to repeal Chapter 62, House bill No. 7, of the General and Special Laws passed by the First Called Session of the Fortieth Legislature, which relates to the appropriation out of the general fund a sum of \$1,500,000 to be added to the State available school fund."

S. B. No. 144, "An Act to amend the laws relating to the county court at law of Harris county; to amend Sections 3 and 5, Chapter 8, of the General Laws of the Thirty-third Legislature passed at its Regular Session; to amend Sections 6 and 12, Chapter 4, of the General Laws of the Thirty-second Legislature passed at its Regular Session; to repeal Sections 4 and 6, Chapter 8, of said Acts of the Thirty-third Legislature; and to provide for the exchange of benches, the transfer of cases and the appointment of a court reporter for the county court at law of Harris county, Texas; and declaring an emergency."

HOUSE BILL NO. 36 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 36, A bill to be entitled "An Act to amend Article 2117 of the Revised Civil Statutes in reference to the manner of summoning jurors."

The bill was read third time and was passed.

HOUSE BILL NO. 85 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 85, A bill to be entitled "An Act to amend Chapter 176 of the General Laws of the Thirty-eighth Legislature, so as to increase the salary of the judge of the county court of Dallas county at law No. 1, and the judge of the county court of Dallas at law No. 2, from thirty-six hundred (\$3600) dollars per annum to five thousand (\$5000) dollars per annum; prescribing the method of payment; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 89 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 89, A bill to be entitled "An Act to amend Section 10 of Chap-

ter 25, of the General and Special Laws of the Regular Session of the Fortieth Legislature, so as to increase the salary of the judge of the county criminal court of Dallas county, Texas, to five thousand (\$5000) dollars per year; and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 83 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 83, A bill to be entitled "An Act abolishing the office of Game, Fish and Oyster Commissioner and creating the Game, Fish and Oyster Commission; vesting all of the authority, powers and functions of said commissioner in the Game, Fish and Oyster Commission created and provided for in this act; providing for the appointment, compensation, bond, duties and functions of said Game, Fish and Oyster Commission; providing for an executive secretary and assistant executive secretary; to be appointed by the commission, and providing for all necessary game and fish wardens, division heads and other employees of said Game, Fish and Oyster Commission; changing the laws of the State of Texas in such respects as shall be necessary in order to carry out the purposes of this act; enacting the necessary matters and things incidental to the purpose and subject of this act; making the necessary appropriation out of the State Treasury; providing when this act shall take effect, declaring the rule of construction, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read third time.

Mr. McCombs moved the previous question on the passage of the bill, and the main question was ordered.

Senate bill No. 83 was then passed by the following vote:

Yeas—71.

Adkins.	Eickenroht.
Baker.	Finlay.
Baldwin.	Forbes.
Beck.	Giles.
Bond.	Graves
Brooks.	of Williamson.
Carpenter.	Harding.
Cox of Lamar.	Harman.
DeWolfe.	Harper.
Dunlap.	Harrison.
Duvall.	Hines.
Ewing.	Hogg.

Holder.	Negley.
Hopkins.	Olsen.
Hornaday.	O'Neill.
Hubbard.	Petsch.
Johnson	Pool.
of Dimmit.	Prendergast.
Johnson of Smith.	Purl.
Johnson of Scurry.	Quinn.
Kayton.	Reid.
Keller.	Renfro.
Kemble.	Rountree.
Land.	Savage.
Lee.	Shaver.
Lemens.	Shelton.
Long of Wichita.	Simmons.
Mankin.	Sinks.
Martin.	Speck.
Mauritz.	Stevenson.
Maynard.	Storey.
McCombs.	Tarwater.
McDonald.	Thompson.
McKean.	Thurmond.
Mehl.	Walters.
Metcalfe.	Warwick.
Minor.	Westbrook.
Montgomery.	Young.
Mullally.	

Nays—48.

Ackerman.	Palmer.
Albritton.	Pavlica.
Barnett.	Pope of Jones.
Bateman.	Pope of Nueces.
Bounds.	Ray.
Bradley.	Reader.
Brice.	Sanders.
Chastain.	Sherrill.
Coltrin.	Shipman.
Conway.	Snelgrove.
Enderby.	Stephens.
Gates.	Strong.
Hardy.	Turner.
Jenkins.	Van Zandt.
Justiss.	Veatch.
Keeton.	Wallace.
Kennedy.	Webb.
Kenyon.	White.
Kincaid.	Wiggs.
Long of Houston.	Williams
Loy.	of Sabine.
McGill.	Williams
Moore.	of Travis.
Morse.	Woodall.
Murphy.	Woodruff.

Present—Not Voting.

Anderson.	Gerron.
Avis.	

Absent.

Cox of Navarro.	Jones.
Davis.	King.
Fuchs.	Mosely.
Gilbert.	Nicholson.
Graves of Erath.	Tillotson.
Hefley.	Waddell.

Absent—Excused.

Acker.	Richardson.
Cox of Limestone.	Rogers.
Finn.	Smith.
Heaton.	Williams
Kinnear.	of Hardin.
Patterson.	

Paired.

Mr. Gerron (present), who would vote "nay," with Mr. Heaton (absent), who would vote "yea."

Mr. Shaver moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

RECESS.

On motion of Mr. Kemble, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum until 4 o'clock p. m., and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Purl, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll was called, and a quorum was announced present.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 48, "An Act to amend subdivision 3, of Article 3926, Revised Statutes, 1925, relating to the payment of salary to the county judge by the commissioners court for presiding over said court, ordering elections, making returns thereof, hearing and determining civil causes and transacting all other official business, by providing that in counties having \$290,000,000 assessed valuation or more, and which have established therein institutions for the

care of dependent and delinquent boys and girls, the county judge shall receive the further sum of \$3000 per annum, which shall be ex-officio and not to be accounted for as fees of office, but in addition to all amounts allowed under the maximum fee bill; and declaring an emergency."

HOUSE BILL NO. 8 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 8, A bill to be entitled "An Act to define, regulate and license real estate brokers, real estate agents and real estate salesmen within the State of Texas; to create a State board of examiners to operate in conjunction with the office of the Commissioner of the General Land Office, and providing for the appointment of such examiners, and fixing their qualifications, compensation and tenure of office."

The bill was read second time.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 8, page 2, line 32, by inserting just after the word "attorney," "nor to deny the right of private contract."

(Pending consideration of the bill, Mr. McCombs occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Kemble moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—56.

Ackerman.	Justiss.
Beck.	Keeton.
Bounds.	Keller.
Bradley.	Kemble.
Carpenter.	Kincaid.
Coltrin.	Land.
Cox of Navarro.	Lemens.
Dunlap.	Long of Houston.
Duvall.	Long of Wichita.
Enderby.	Martin.
Forbes.	Mauritz.
Gates.	McCombs.
Gilbert.	McDonald.
Hardy.	Montgomery.
Harding.	Morse.
Hefley.	Mullally.
Hogg.	Nicholson.
Hornaday.	Palmer.
Johnson	Pool.
of Dimmit.	Purl.
Johnson of Scurry.	Rountree.

Savage.	Veatch.
Shaver.	Walters.
Shelton.	Warwick.
Speck.	Westbrook.
Stevenson.	White.
Strong.	Williams
Thurmond.	of Travis.
Van Zandt.	Woodall.

Nays—48.

Adkins.	Lee.
Albritton.	Mankin.
Avis.	McGill.
Baker.	Moore.
Barnett.	Murphy.
Bateman.	O'Neill.
Brice.	Pavlica.
Brooks.	Ray.
Chastain.	Reid.
Conway.	Shipman.
Cox of Limestone.	Simmons.
DeWolfe.	Sinks.
Ewing.	Snelgrove.
Eickenroht.	Stephens.
Finlay.	Tarwater.
Gerron.	Tillotson.
Giles.	Turner.
Harper.	Waddell.
Holder.	Wallace.
Hubbard.	Wiggs.
Jenkins.	Williams
Johnson of Smith.	of Sabine.
Kennedy.	Woodruff.
Kenyon.	Young.
King.	

Present—Not Voting.

Graves	Harrison.
of Williamson.	Maynard.

Absent.

Anderson.	Mosely.
Baldwin.	Negley.
Bond.	Olsen.
Davis.	Petsch.
Fuchs.	Pope of Jones.
Graves of Erath.	Pope of Nueces.
Harman.	Prendergast.
Hines.	Quinn.
Hopkins.	Reader.
Jones.	Renfro.
Kayton.	Sanders.
Loy.	Sherrill.
McKean.	Storey.
Mehl.	Thompson.
Metcalfe.	Webb.
Minor.	

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Heaton.	Williams
Kinnear.	of Hardin.
Patterson.	

Mr. Kennedy offered the following amendment to the bill:

Amend House bill No. 8 by adding at the end of line 25, page 2, the following: "Provided, nothing in this act shall prevent any person selling his own land or doing an oil, gas or mineral leasing business without complying with the terms of this act."

The amendment was adopted.

Mr. Woodruff offered the following amendment to the bill:

Amend House bill No. 8 by striking out the words "or to lease, to rent or offer to rent any real estate, or to negotiate leases thereof," in lines 14 and 15 of page 2.

The amendment was adopted.

Mr. Barnett offered the following amendment to the bill:

Amend House bill No. 8, page 7, line 24, by striking out the word "ten" and insert in lieu thereof "one."

Mr. Kemble offered the following substitute for the amendment:

Substitute for amendment by striking out the word "ten" in line 24, Section 12, page 7, and substituting in lieu thereof the word "five."

The substitute amendment was adopted.

The amendment as substituted was then adopted.

Mr. Purl offered the following amendment to the bill:

Amend House bill No. 8 by adding a new section, to be known as Section 24a:

"That no real estate agent or person seeking to recover a commission for the sale of real estate shall be entitled to maintain a suit in any court in Texas for a recovery of such commission unless he can show that prior to said sale or alleged sale the said real estate had been duly listed in writing with him by the owner or his duly authorized agent, containing a description of the land, the terms of the sale and the length of time for which it is listed, all of which shall be signed by the party or his duly authorized agent sought to be held for such commission."

The amendment was adopted.

Mr. Chastain offered the following amendment to the bill:

Amend House bill No. 8 by striking out on page 1, line 28, all of said line 28.

Mr. Morse moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—60.

Baker.	Loy.
Beck.	Martin.
Bounds.	Mauritz.
Bradley.	McCombs.
Carpenter.	McDonald.
Coltrin.	McKean.
Cox of Navarro.	Montgomery.
Dunlap.	Morse.
Duvall.	Mullally.
Ewing.	Nicholson.
Forbes.	Pool.
Gates.	Purl.
Gerron.	Quinn.
Gilbert.	Reader.
Harding.	Rountree.
Harman.	Savage.
Hefley.	Shaver.
Hogg.	Shelton.
Hopkins.	Speck.
Hornaday.	Stevenson.
Johnson	Storey.
of Dimmit.	Strong.
Johnson of Scurry.	Thurmond.
Justiss.	Van Zandt.
Kayton.	Veatch.
Kemble.	Walters.
Kennedy.	Warwick.
Land.	Webb.
Lemens.	Williams
Long of Houston.	of Travis.
Long of Wichita.	Woodall.

Nays—49.

Ackerman.	Mankin.
Adkins.	McGill.
Albritton.	Moore.
Avis.	Murphy.
Barnett.	Negley.
Bateman.	O'Neill.
Brice.	Palmer.
Brooks.	Pavlica.
Chastain.	Pope of Jones.
Conway.	Reid.
Cox of Limestone.	Shipman.
DeWolfe.	Simmons.
Enderby.	Sinks.
Eickenroht.	Snelgrove.
Finlay.	Stephens.
Giles.	Tarwater.
Graves	Turner.
of Williamson.	Waddell.
Harper.	Wallace.
Hines.	White.
Hubbard.	Wiggs.
Jenkins.	Williams
Johnson of Smith.	of Sabine.
Kenyon.	Woodruff.
King.	Young.
Lee.	

Present—Not Voting.

Harrison.	Sanders.
Maynard.	

Absent.

Anderson.	Mehl.
Baldwin.	Metcalfe.
Bond.	Minor.
Davis.	Mosely.
Fuchs.	Olsen.
Graves of Erath.	Petsch.
Hardy.	Pope of Nueces.
Heaton.	Prendergast.
Holder.	Renfro.
Jones.	Sherrill.
Keeton.	Thompson.
Keller.	Tillotson.
Kincaid.	Westbrook.

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Kinnear.	Williams
Patterson.	of Hardin.
Ray.	

Mr. Sinks offered the following amendment to the bill:

Amend House bill No. 8, page 1, Section 1, line 33, after the word "agent," "in any county other than the county of his residence."

Mr. Kemble moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—57.

Beck.	Lemens.
Bounds.	Long of Houston.
Bradley.	Long of Wichita.
Carpenter.	Martin.
Coltrin.	Mauritz.
Cox of Navarro.	McCombs.
Dunlap.	McDonald.
Duvall.	McKean.
Ewing.	Metcalfe.
Gates.	Montgomery.
Gilbert.	Morse.
Giles.	Mullally.
Graves	Palmer.
of Williamson.	Patterson.
Hardy.	Pool.
Harding.	Purl.
Harman.	Quinn.
Hefley.	Ray.
Hornaday.	Reader.
Jenkins.	Rountree.
Johnson	Savage.
of Dimmit.	Shaver.
Johnson of Scurry.	Speck.
Kayton.	Stevenson.
Keeton.	Strong.
Keller.	Thurmond.
Kemble.	Van Zandt.
Land.	Warwick.

Webb.
Williams
of Travis.

Woodall.

Nays—60.

Ackerman.	Maynard.
Adkins.	McGill.
Albritton.	Minor.
Anderson.	Moore.
Avis.	Mosely.
Baker.	Murphy.
Bateman.	Negley.
Brice.	O'Neill.
Brooks.	Pavlica.
Chastain.	Pope of Jones.
Conway.	Reid.
Cox of Limestone.	Sanders.
DeWolfe.	Shipman.
Enderby.	Simmons.
Finlay.	Sinks.
Forbes.	Snelgrove.
Gerron.	Stephens.
Harper.	Storey.
Harrison.	Tarwater.
Hines.	Turner.
Hogg.	Veatch.
Holder.	Waddell.
Hopkins.	Wallace.
Hubbard.	Walters.
Johnson of Smith.	White.
Justiss.	Wiggs.
Kennedy.	Williams
Kincaid.	of Sabine.
King.	Woodruff.
Lee.	Young.
Mankin.	

Absent.

Baldwin.	Olsen.
Barnett.	Petsch.
Bond.	Pope of Nueces.
Davis.	Prendergast.
Eickenroht.	Renfro.
Graves of Erath.	Shelton.
Jones.	Sherrill.
Kenyon.	Thompson.
Loy.	Tillotson.
Mehl.	Westbrook.
Nicholson.	

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Fuchs.	Williams
Heaton.	of Hardin.
Kinnear.	

On motion of Mr. DeWolfe, the call of the House was extended pending consideration of House bill No. 8.

Mr. Beck moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the

amendment by Mr. Sinks, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—66.

Ackerman.	Lee.
Adkins.	Loy.
Albritton.	Mankin.
Anderson.	Maynard.
Avis.	McGill.
Baker.	Moore.
Barnett.	Mosely.
Bateman.	Negley.
Brice.	O'Neill.
Brooks.	Palmer.
Chastain.	Pavlica.
Coltrin.	Pope of Jones.
Conway.	Reid.
Cox of Limestone.	Sanders.
DeWolfe.	Shaver.
Enderby.	Shelton.
Ewing.	Shipman.
Eickenroht.	Sinks.
Finlay.	Snelgrove.
Forbes.	Stephens.
Gerron.	Storey.
Graves	Strong.
of Williamson.	Tarwater.
Harper.	Turner.
Harrison.	Veatch.
Hines.	Waddell.
Hopkins.	Wallace.
Hubbard.	Walters.
Jenkins.	White.
Johnson of Smith.	Wiggs.
Justiss.	Woodruff.
Kennedy.	Williams
Kincaid.	of Sabine.
King.	Young.

Nays—48.

Beck.	Long of Wichita.
Bradley.	Martin.
Carpenter.	Mauritz.
Cox of Navarro.	McCombs.
Duvall.	McKean.
Gates.	Metcalfe.
Gilbert.	Montgomery.
Giles.	Morse.
Hardy.	Mullally.
Harding.	Nicholson.
Hefley.	Patterson.
Hogg.	Pool.
Hornaday.	Purl.
Johnson	Quinn.
of Dimmit.	Ray.
Johnson of Scurry.	Reader.
Kayton.	Rountree.
Keeton.	Savage.
Keller.	Speck.
Kemble.	Thurmond.
Land.	Van Zandt.
Lemens.	Warwick.
Long of Houston.	Webb.

Williams
of Travis.

Woodall.

Absent.

Baldwin.	Murphy.
Bond.	Olsen.
Bounds.	Petsch.
Davis.	Pope of Nueces.
Dunlap.	Prendergast.
Graves of Erath.	Renfro.
Harman.	Sherrill.
Holder.	Simmons.
Jones.	Stevenson.
Kenyon.	Thompson.
McDonald.	Tillotson.
Mehl.	Westbrook.
Minor.	

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Fuchs.	Williams
Heaton.	of Hardin.
Kinnear.	

House bill No. 8 was then passed to engrossment by the following vote:

Yeas—65.

Anderson.	Martin.
Beck.	Mauritz.
Bounds.	Maynard.
Bradley.	McCombs.
Carpenter.	McDonald.
Cox of Navarro.	McKean.
Dunlap.	Metcalfe.
Duvall.	Montgomery.
Ewing.	Morse.
Finlay.	Mullally.
Forbes.	Nicholson.
Gates.	Patterson.
Gilbert.	Pool.
Giles.	Purl.
Graves of Erath.	Quinn.
Hardy.	Ray.
Harding.	Reader.
Hefley.	Rountree.
Hogg.	Sanders.
Hopkins.	Savage.
Hubbard.	Shaver.
Johnson	Shelton.
of Dimmit.	Simmons.
Johnson of Scurry.	Speck.
Justiss.	Stevenson.
Kayton.	Storey.
Keeton.	Strong.
Keller.	Thurmond.
Kemble.	Van Zandt.
Land.	Warwick.
Lemens.	Webb.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Loy.	Woodall.

Nays—53.

Ackerman.	McGill.
Adkins.	Minor.
Albritton.	Moore.
Avis.	Mosely.
Baker.	Murphy.
Bateman.	Negley.
Brice.	O'Neill.
Brooks.	Palmer.
Chastain.	Pavlica.
Coltrin.	Pope of Jones.
Conway.	Reid.
Cox of Limestone.	Shipman.
DeWolfe.	Sinks.
Eickenroht.	Snelgrove.
Gerron.	Stephens.
Graves	Tarwater.
of Williamson.	Turner.
Harper.	Veatch.
Harrison.	Waddell.
Hines.	Wallace.
Hornaday.	Walters.
Jenkins.	White.
Johnson of Smith.	Wiggs.
Kennedy.	Williams
Kenyon.	of Sabine.
King.	Woodruff.
Lee.	Young.
Mankin.	

Absent.

Baldwin.	Mehl.
Bond.	Olsen.
Davis.	Pope of Nueces.
Enderby.	Prendergast.
Fuchs.	Renfro.
Harman.	Sherrill.
Holder.	Thompson.
Jones.	Tillotson.
Kincaid.	Westbrook.

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Heaton.	Williams
Kinnear.	of Hardin.

Paired.

Mr. Barnett (present), who would vote "nay," with Mr. Petsch (absent), who would vote "yea."

Reason for Vote.

I did not vote for House bill No. 8 for the reason that in the form the bill is any court in the State has jurisdiction to try a defendant for a violation of the law, and I will not vote for any bill that gives jurisdiction in a county other than where the offense is committed.

HARMAN.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 1, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has agreed to concur in House amendments to Senate bill No. 83 by viva voce vote.

Has passed

S. C. R. No. 15, Providing for appointment of a joint committee of the House and Senate to confer with a like committee from the Legislature of the State of Oklahoma regarding boundary matters.

H. C. R. No. 11, Providing for printing and distribution of 500 copies of the Legislative Manual of the Forty-first Legislature.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

MESSAGE FROM THE GOVERNOR.

Mr. Pat Dougherty, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

To the Members of the Forty-first Legislature:

I am in receipt of the following telegram from the Honorable W. J. Hollaway, Acting Governor of Oklahoma:

"The Senate and House of Representatives of Oklahoma today unanimously passed Senate concurrent resolution No. 5, authorizing the appointment of committees from both houses to confer with like committees from the State of Texas relative to the boundary question, 100th meridian, in order that action may be taken wherein the rights of the residents of the State of Oklahoma and the State of Texas be equitably adjusted. The Oklahoma committees plan to arrive at Austin not later than Saturday noon. Will you please recommend to your Legislature the passage of a similar resolution authorizing the appointment of committees which will confer with our committees on their arrival? Will you please wire me as soon as possible your action in the premises?"

I have conferred with the Attorney General, who is keeping in touch with the surveying of the 100th meridian, and he advises that he sees no objection to a meeting of a committee of the

Texas Legislature with the committee appointed by the Legislature of Oklahoma.

Respectfully submitted,
DAN MOODY.

PROVIDING FOR COMMITTEE TO
CONFER WITH COMMITTEE
FROM OKLAHOMA
LEGISLATURE.

(By Unanimous Consent.)

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 15, Providing for a committee to confer with Oklahoma committee:

Whereas, The Legislature of the State of Oklahoma has unanimously passed a concurrent resolution authorizing the appointment of committees from both the House and Senate to confer with like committees from the State of Texas relative to the boundary question, 100th meridian, in order that action may be taken wherein the rights of the residents of the State of Oklahoma and the State of Texas may be equitably adjusted; and

Whereas, The Committees of the State of Oklahoma will arrive at Austin not later than Saturday noon, February 2d, 1929, to confer with the Legislature of Texas relative to this matter; therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That a committee be appointed by the Senate and House, consisting of three members of the Senate, to be appointed by the President of the Senate, and five members of the House, to be appointed by the Speaker of the House, to confer with the committee of the Legislature of the State of Oklahoma regarding the boundary matter.

The resolution was read third time and was adopted.

COMMITTEE TO CONFER WITH THE
OKLAHOMA COMMITTEE.

The Speaker announced the appointment of the following committee to confer with the Oklahoma committee:

Messrs. Young, White, Land, Storey and Warwick.

RECESS.

Mr. Quinn moved that the House recess to 9:30 o'clock a. m. tomorrow.

Mr. McCombs moved that the House adjourn until 9:30 o'clock a. m. next Monday.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—22.

Ewing.	Martin.
Eickenroht.	McCombs.
Gates.	Moore.
Hardy.	Morse.
Harrison.	Mullally.
Hefley.	Palmer.
Hines.	Pool.
Justiss.	Shelton.
Kayton.	Snelgrove.
Kemble.	Strong.
Long of Wichita.	Tarwater.

Nays—84.

Mr. Speaker.	Long of Houston.
Adkins.	Loy.
Albritton.	Mankin.
Anderson.	Mauritz.
Avis.	Maynard.
Baker.	McDonald.
Barnett.	McGill.
Bateman.	McKean.
Bounds.	Metcalfe.
Bradley.	Mosely.
Brice.	Negley.
Brooks.	Nicholson.
Carpenter.	O'Neill.
Coltrin.	Patterson.
Conway.	Pavlica.
Cox of Navarro.	Pope of Jones.
Cox of Limestone.	Purl.
Dunlap.	Quinn.
Finlay.	Ray.
Forbes.	Reid.
Gerron.	Rountree.
Gilbert.	Sanders.
Giles.	Shaver.
Graves	Shipman.
of Williamson.	Simmons.
Graves of Erath.	Sinks.
Harding.	Speck.
Harman.	Stephens.
Harper.	Stevenson.
Hogg.	Storey.
Hopkins.	Thurmond.
Hornaday.	Turner.
Hubbard.	Veatch.
Johnson	Wallace.
of Dimmit.	Walters.
Johnson of Smith.	Warwick.
Johnson of Scurry.	Webb.
Keeton.	White.
Keller.	Williams
Kennedy.	of Sabine.
Kincaid.	Williams
King.	of Travis.
Land.	Woodall.
Lee.	Woodruff.
Lemens.	Young.

Present—Not Voting.

DeWolfe. Van Zandt.

Absent.

Ackerman.	Murphy.
Baldwin.	Olsen.
Beck.	Petsch.
Bond.	Pope of Nueces.
Chastain.	Prendergast.
Davis.	Reader.
Duvall.	Renfro.
Enderby.	Savage.
Holder.	Sherrill.
Jenkins.	Thompson.
Jones.	Tillotson.
Kenyon.	Waddell.
Mehl.	Westbrook.
Minor.	Wiggs.
Montgomery.	

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Fuchs.	Williams
Heaton.	of Hardin.
Kinnear.	

Question then recurring on the motion of Mr. Quinn, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—96.

Mr. Speaker.	Harman.
Adkins.	Harper.
Albritton.	Harrison.
Avis.	Hefley.
Baker.	Hines.
Barnett.	Hogg.
Bateman.	Hopkins.
Bounds.	Hornaday.
Bradley.	Jenkins.
Brice.	Johnson
Brooks.	of Dimmit.
Carpenter.	Johnson of Smith.
Chastain.	Johnson of Scurry.
Coltrin.	Keeton.
Conway.	Kennedy.
Cox of Navarro.	Kincaid.
Cox of Limestone.	King.
DeWolfe.	Land.
Dunlap.	Lee.
Ewing.	Lemens.
Finlay.	Long of Houston.
Forbes.	Long of Wichita.
Gates.	Loy.
Gerron.	Mankin.
Gilbert.	Martin.
Giles.	Mauritz.
Graves	Maynard.
of Williamson.	McDonald.
Graves of Erath.	McGill.
Harding.	McKean.

Metcalf.	Stephens.
Morse.	Stevenson.
Mosely.	Storey.
Negley.	Strong.
Nicholson.	Tarwater.
O'Neill.	Thurmond.
Patterson.	Turner.
Pavlica.	Veatch.
Pope of Jones.	Wallace.
Quinn.	Walters.
Ray.	Warwick.
Reid.	Webb.
Rountree.	White.
Sanders.	Williams
Shaver.	of Sabine.
Shelton.	Williams
Shipman.	of Travis.
Simmons.	Woodall.
Sinks.	Woodruff.
Speck.	Young.

Nays—9.

Eickenroht.	Palmer.
Justiss.	Pool.
Kemble.	Snelgrove.
McCombs.	Van Zandt.
Mullally.	

Present—Not Voting.

Hubbard.

Absent.

Ackerman.	Moore.
Anderson.	Murphy.
Baldwin.	Olsen.
Beck.	Petsch.
Bond.	Pope of Nueces.
Davis.	Prendergast.
Duvall.	Purl.
Enderby.	Reader.
Hardy.	Renfro.
Holder.	Savage.
Jones.	Sherrill.
Kayton.	Thompson.
Keller.	Tillotson.
Kenyon.	Waddell.
Mehl.	Westbrook.
Minor.	Wiggs.
Montgomery.	

Absent—Excused.

Acker.	Richardson.
Cox of Lamar.	Rogers.
Finn.	Smith.
Fuchs.	Williams
Heaton.	of Hardin.
Kinnear.	

The House accordingly, at 4:20 o'clock p. m., took recess to 9:30 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Municipal and Private Corporations: Senate bills Nos. 90, 91 and 275.

School Districts: House bill No. 229.

Appropriations: Senate bill No. 238.

Game and Fisheries: House bills Nos. 413 and 482.

State Affairs: Senate bills Nos. 75, 279, 281, 47 and 72.

Insurance: House bills Nos. 478, 54 and 86.

State Eleemosynary and Reformatory Institutions: House bill No. 50.

Education: Senate bill No. 71.

Highways and Motor Traffic: House bills Nos. 181 and 523.

Conservation and Reclamation: Senate bill No. 159.

Public Health: Senate bill No. 126.

The Committee on Constitutional Amendments filed an adverse report on House joint resolution No. 10.

EIGHTEENTH DAY.

(Continued.)

(Saturday, February 2, 1929.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Barron.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Maynard:

H. B. No. 554, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the county of Bastrop, State of Texas, for a period of five years from and after the passage of this act."

Referred to Committee on Game and Fisheries.

By Mr. Baker:

H. B. No. 555, A bill to be entitled "An Act fixing the bag limit on doves and quail in Wood county, declaring